

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**ROTH GRADING, INC., d/b/a
IMPACT ROLLER TECHNOLOGY,
a Nebraska Corporation,**

Plaintiff,

VS.

TESTA CORP.,
a Massachusetts Corporation,

Defendant.

8:04CV632

ORDER

This matter is before the court on the plaintiff's Motion for Leave to Amend Complaint (Filing No. 23). The plaintiff attached to the motion an unsigned copy of the proposed amended complaint, in compliance with NECivR 15.1(a). **See** Filing No. 23, Exhibit A. The defendant did not file an objection to the motion. The plaintiff's motion was filed before the deadline for filing such motions. **See** Filing No. 20. The plaintiff seeks to amend the complaint to make a more definite claim for prejudgment interest under Nebraska law and change the defendant's principal place of business. Upon consideration,

IT IS ORDERED:

1. The plaintiff's Motion for Leave to Amend Complaint (Filing No. 23) is granted.
2. The plaintiff shall have to **on or before February 14, 2006**, to file the amended complaint.

DATED this 7th day of February, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge